

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

IN RE: : MDL DOCKET NO. 1724

VIAGRA PRODUCTS LIABILITY : Judge Paul A. Magnuson
LITIGATION

This document relates to:

Bruce Choyce, Case No. 06-CV-3877 (PAM)

v.

Pfizer Inc, et al.

ORDER TO SHOW CAUSE

This matter came before the Court on November 28, 2007 on Defendant Pfizer Inc's request for an Order to Show Cause why Plaintiff Bruce Choyce's ("Plaintiff") complaint should not be dismissed for failing to comply with the Court's June 30, 2006 Scheduling Order Relating to Phase I of Discovery ("Scheduling Order").

Plaintiff filed suit against Pfizer Inc and certain of its former officers on February 28, 2006 in the Superior Court for the County of Alameda, California. The case was removed to the United States District Court for the Northern District of California on August 7, 2005. Plaintiff's case was transferred to this MDL on October 16, 2006.

Plaintiff has failed to produce a completed Plaintiff's Fact Sheet as required by the Court's Scheduling Order. Pfizer sent a copy of the Court's Scheduling Order and a Fact Sheet to Plaintiff on October 20, 2006 and the Fact Sheet was due to be returned on

January 18, 2007. On February 8, 2007, Pfizer sent to Plaintiff a warning letter requesting that the Fact Sheet be completed and sent with signed medical authorizations no later than March 8, 2007. As of November 28, 2007, Pfizer has not received a Fact Sheet or medical record authorizations from Plaintiff in violation of the Scheduling Order.

Therefore, based upon the facts presented and argument at the Status Conference of November 28, 2007, it is hereby ordered that:

1. Plaintiff Bruce Choyce has 45 days from the date of this Order to comply with the Scheduling Order by producing to Pfizer a completed Plaintiff's Fact Sheet and medical record authorizations.
2. If such production is not made within this time period or Plaintiff does not otherwise present to the Court reasonable cause for his delay in complying with the Scheduling Order, Plaintiff's case will be dismissed with prejudice.

Dated: December 18, 2007

s/ Paul A. Magnuson
Paul A. Magnuson
United States Senior District Judge

Ronald S. Goldser
Robert R. Hopper
Zimmerman Reed, PLLP
651 Nicollet Mall, Suite 501
Minneapolis, MN 55402
612-341-0400
Fax: 612-341-0844
rsg@zimmreed.com
rrh@zimmreed.com
Plaintiffs' Liaison Counsel

Steven Glickstein
Lori B. Leskin
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022
212-836-8000
Fax: 212-836-8689
lleskin@kayscholer.com
sglickstein@kayscholer.com
Defendants' Lead Counsel

Daniel E. Becnel, Jr.
Law Offices of Daniel E. Becnel, Jr.
106 W 7th Street
PO Drawer H
Reserve, LA 70084
985-536-1186
Fax: 985-651-6101
dbecnel@becnellsaw.com
Plaintiffs' Co-Lead Counsel

David P. Graham
Stacey L. Drentlaw
Oppenheimer Wolff & Donnelly LLP
3300 Plaza VII Building
45 South Seventh Street
Minneapolis, MN 55402

612-607-7000
Fax: 612-607-7100
DGraham@oppenheimer.com
SDrentlaw@oppenheimer.com
Defendants' Liaison Counsel